## ORDINANCE NO. 2311

AN ORDINANCE OF THE CITY OF REDMOND, WASHINGTON, ADOPTING THE HEARING EXAMINER'S SEPTEMBER 18, 2006 RECOMMENDATION AS MODIFIED BY THE ORDER ON MOTION FOR RECONSIDERATION ISSUED ON OCTOBER 23, 2006 TO APPROVE WITH CONDITIONS THE PRESCOTT GLEN PLANNED RESIDENTIAL DEVELOPMENT (FILE L050153), AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Pacific Properties, herein referred to as applicant, submitted an application to develop a 70-lot, planned residential development (PRD) on 15.99 acres located at the 167<sup>th</sup> Block of NE 122<sup>nd</sup> Street; and

WHEREAS, a planned residential development is a Type IV permit decision; and

WHEREAS, the Redmond Community Development Guide authorizes the Hearing Examiner to conduct an open record hearing for the planned residential development and make a recommendation with findings of fact, conclusions of law, and conditions of approval for the PRD to the City Council for consideration; and

WHEREAS, on August 21, 2006, the Hearing Examiner conducted an open record hearing to receive and review the application record and to hear verbal testimony relative to the Prescott Glen Planned Residential Development (File L050153) and Preliminary Plat (L050154); and

WHEREAS, on September 18, 2006, the Hearing Examiner conditionally approved the Prescott Glen preliminary plat (L050154) and recommended approval of the Prescott Glen PRD (File L050153) subject to conditions; and

WHEREAS, on October 23, 2006, the Hearing Examiner issued a Order on the Motions for Reconsideration that were filed by the applicant and the City and amended his conditional approval of the Prescott Glen preliminary plat (L050154); NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF REDMOND, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Findings, Conclusions, and Conditions of Approval. After carefully reviewing the record and considering the evidence and arguments in the record and in the Hearing Examiner's recommendation, the City Council hereby adopts the findings, analysis, and conclusions in the Hearing Examiner's recommendation for the Prescott Glen PRD dated September 18, 2006.

Section 2. Approval. The City Council hereby approves the Prescott Glen PRD, subject to the conditions of approval identified in the Hearing Examiner's recommendation dated September 18, 2006.

<u>Section 3.</u> <u>Duties of Planning Director.</u> The Planning Director is hereby authorized and directed to make any appropriate notations on the official zoning map of the city in order to reflect the approval of the PRD as provided in this ordinance.

Section 4. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 5. Effective Date. This ordinance, being an exercise of a power specifically delegated to the City's legislative body, is not subject to referendum, and

shall take effect five (5) days after passage and publication of an approved summary thereof consisting of the title.

**OF REDMOND** 

ATTEST/AUTHENTICATED:

APPROVED AS TO FORM:

OFFICE OF THE CITY ATTORNEY:

FILED WITH THE CITY CLERK: PASSED BY THE CITY COUNCIL:

SIGNED BY THE MAYOR:

PUBLISHED:

**EFFECTIVE DATE:** 

ORDINANCE NO.: 2311

November 15, 2006

November 21, 2006

November 21, 2006

November 27, 2006 December 5, 2006